Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 22 May 2009

Message Text

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ORIGIN EB-08

INFO OCT-01 ARA-10 ISO-00 AGRE-00 CIAE-00 COME-00
INR-07 LAB-04 NSAE-00 SP-02 STR-04 TRSE-00 FRB-01
OMB-01 /038 R

DRAFTED BY EB/OT/GCP - MBAAS
APPROVED BY EB/OT/GCP - SAHMAD
ARA/EC - W BURSON (INFO)
STR - SLANDE (INFO)
----------050119Z 058684 /21
R 042152Z APR 77
FM SECSTATE WASHDC
TO AMEMBASSY PORT OF SPAIN

UNCLAS STATE 074706

E.O. 11652: N/A

TAGS: ETRD

SUBJECT: GSP:ANGOSTURA BITTERS AND TEQUILA

1. DEPARTMENT THANKS EMBASSY FOR USEFUL INFORMATION PROVIDED REFTEL.

2. FOLLOWING IS RESPONSE TO QUESTION POSED BY GOTT IN PARAGRAPH 10, AS TO WHY TRINIDAD IS NOT ELIGIBLE FOR GSP ON ANGOSTURA BITTERS. THIS ITEM IS ON GSP, AND BENEFITS ARE AVAILABLE FOR ALL COUNTRIES EXCEPT TRINIDAD, WHICH IS EXCLUDED BY THE COMPETITIVE NEED PROVISION, SINCE OVER 50 OF US IMPORTS FROM TRINIDAD. ONLY WAY TO WAIVE THIS EXCLUSION IS FOR A DETERMINATION TO BE MADE THAT A "LIKE OR DIRECTLY COMPETITIVE" PRODUCT WAS NOT PRODUCED IN THE US ON THE DATE OF ENACTMENT OF THE TRADE ACT, JANUARY 3, 1975. IN RESPONSE TO A PETITION, AS EMBASSY AWARE, IT WAS DETERMINED THAT HOLLAND HOUSE
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PRODUCED A "LIKE OR DIRECTLY COMPETITIVE" PRODUCT IN THE US ON THIS DATE. THUS IT IS IMPOSSIBLE TO WAIVE EXCLUSION FOR TRINIDAD. IF US IMPORTS OF THIS ITEM FROM TRINIDAD SHOULD EVER FALL BELOW 50 PERCENT IN A CALENDAR YEAR, ITEM COULD BE REDESIGNATED AS ELIGIBLE FOR GSP, BUT LIKELIHOOD OF THIS HAPPENING APPEARS SLIGHT.

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3. CASE OF BULK TEQUILA, THOUGH SIMILAR, IS DIFFERENT. IN THIS CASE, ITEM WAS BROKEN OUT OF BASKET CATEGORY, AND BULK TEQUILA PLACED ON GSP. SINCE MEXICO PROVIDES ALL US IMPORTS OF THIS ITEM, MEXICO WOULD NORMALLY BE EXCLUDED BY COMPETITIVE NEED, SIMILAR TO TRINIDAD FOR ANGOSTURA BITTERS. HOWEVER, AT SAME TIME, IT WAS DETERMINED THAT A "LIKE OR DIRECTLY COMPETITIVE" PRODUCT TO BULK TEQUILA WAS NOT PRODUCED IN US ON JANUARY 3, L975. THUS COMPETITIVE NEED EXCLUSION WAIVED, AND MEXICO CAN RECEIVE GSP FOR BULK TEQUILA SHIPMENTS. (FYI: REASON FOR DIFFERENTIATING BETWEEN BULK AND BOTTLED TEQUILA WAS THAT TEQUILA IS BOTTLED IN THE US, THUS COMPETITIVE NEED LIMITS COULD NOT BE WAIVED FOR MEXICO ON BOTTLED TEQUILA, WHICH AS A RESULT WAS NOT PLACED ON GSP.)

4. IN SUM, DETERMINING FACTOR IS NOT WHETHER A GIVEN PRODUCT IS COMPETITIVE IN US MARKET, AS GOTT SEEMS TO THINK (AND AS ANGOSTURA BITTERS AND BULK TEQUILA BOTH UNDOUBTEDLY ARE), BUT RATHER WHETHER LIKE OR DIRECTLY COMPETITIVE PRODUCT WAS PRODUCED IN US ON JANUARY 3, 1975.
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Message Attributes

Automatic Decaptioning: X
Capture Date: 01-Jan-1994 12:00:00 am
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: ALCOHOLIC BEVERAGES, GENERALIZED PREFERENCES (TARIFFS)
Control Number: n/a
Copy: SINGLE
Sent Date: 04-Apr-1977 12:00:00 am
Decaption Date: 01-Jan-1960 12:00:00 am
Decaption Note:
Disposition Action: n/a
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment:
Disposition Date: 01-Jan-1960 12:00:00 am
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
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Document Source: CORE
Document Unique ID: 00
Drafter: MBAAS
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Expiration:
Film Number: D770117-0599
Format: TEL
From: STATE
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1977/newtext/t19770490/aaaadama.tel
Line Count: 86
Litigation Code IDs:
Litigation Codes:
Litigation History:
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Message ID: 386879aa-c288-dd11-92da-001cc4696bcc
Office: ORIGIN EB
Original Classification: UNCLASSIFIED
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 2
Previous Channel Indicators: n/a
Previous Classification: n/a
Previous Handling Restrictions: n/a
Reference: n/a
Retention: 0
Review Action: RELEASED, APPROVED
Review Content Flags:
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Review Event:
Review Exemptions: n/a
Review Media Identifier:
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
SAS ID: 2904906
Secure: OPEN
Status: NATIVE
Subject: GSP:ANGOSTURA BITTERS AND TEQUILA
TAGS: ETRD, TD
To: PORT OF SPAIN
Type: TE
vdkvgwkey: odbc://SAS/SAS.dbo.SAS_Docs/386879aa-c288-dd11-92da-001cc4696bcc
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